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U.S.A. HEALTH, INC., AND L. SCOTT HOLMES

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
San Francisco Division**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MEDLAB, INC., et al.,

Defendants.

No. C-08-00822 SI

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TRIAL  
SCHEDULE**

On May 21, 2008, this Court entered a Scheduling Order in this case setting a March 23, 2009, trial date. Since the initial scheduling conference, the parties have engaged in extensive discovery efforts. The current discovery deadline is October 13, 2008. However, to accommodate the medical condition of Defendants' rebuttal expert, to facilitate the remaining discovery, and to account for the winter holidays, the parties request that the Court extend the trial schedule in accordance with the table below. This motion is the first request for an extension of time in this case.

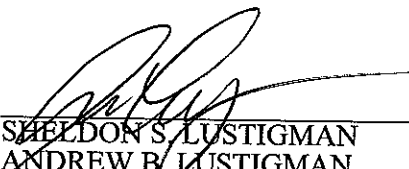
Matter	Original Date	Proposed Date
Trial	3/23/09	6/8/09
Pre-Trial conference	3/10/09	5/19/09
Private mediation (Docket No. 29)	1/09	4/09
Last day for hearing dispositive motions	11/21/08	3/27/09
Dispositive motion replies due	11/7/08	2/20/09
Dispositive motion oppositions due	10/31/08	2/6/09
Last day to file dispositive motions	10/17/08	1/9/09
Discovery cut-off	10/13/08	11/14/08
Designation of rebuttal experts	9/12/08	10/12/08

1 IT IS SO STIPULATED.

2  
3 DATED: September 5, 2008

4 /s/ Evan Rose  
KERRY O'BRIEN  
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9  
10 DATED: September 8 2008

11   
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19 Attorneys for Defendants

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE SUSAN ILLSTON  
United States District Judge

**CERTIFICATE OF SERVICE**

This is to certify that on September 8, 2008, I served true and correct copies of the attached:

• **STIPULATION AND [PROPOSED] ORDER TO EXTEND TRIAL SCHEDULE**  
by filing the above document(s) with the Court's ECF System and emailing the document(s) to:

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Attorneys for Defendants

I swear under penalty of perjury that the foregoing is true and correct. Executed this September 8, 2008, at San Francisco, California.

\_\_\_\_\_  
/s/ Evan Rose

Evan Rose